

Cais am ganiatâd i symud plentyn o'r Deyrnas Unedig (Ffurflen A56)

Nodiadau ar lenwi'r ffurflen

Pwysig

Mae'r ffurflen hon ar gyfer cais dan Adran 28 Deddf Mabwysiadu a Phlant 2002 am ganiatâd y llys i symud plentyn o'r Deyrnas Unedig.

Os ydych chi'n gosod ynghlwm â'ch cais unrhyw orchymyn gan yr Uchel Lys neu lys sirol, rhaid iddo fod yn gopi wedi'i selio (hynny yw, copi a stampiwyd gyda sêl y llys). Os ydych chi'n atodi gorchymyn a wnaed gan lys ynadon, rhaid iddo fod yn gopi ardystiedig (copi yr ardystiwyd gan swyddog y llys ei fod yn gopi cywir o'r gorchymyn gwreiddiol), neu gopi sydd â stamp y llys gwreiddiol arno. Rhaid i orchymyn a gyflwynwyd gan unrhyw awdurdod arall gael ei ddilysu'n iawn gan yr awdurdod hwnnw. Os oes gennych unrhyw ansicrwydd ynghylch beth sydd ei angen, cysylltwch â'r llys am gymorth.

Ewch a'r ffurflen gais wedi'i chwblhau, ynghyd â **thri chopi** ohoni i'r llys, neu ei hanfon yno, ynghyd â ffi'r llys ac unrhyw ddogfennau yr ydych yn eu hatodi i gefnogi'ch cais. Os nad ydych yn sicr o'r ffi sy'n daladwy i'r llys am eich cais, neu y credwch y gallech fod wedi'ch eithrio rhag talu'r holl ffi neu gyfran ohoni, dylech gysylltu â'r llys am wybodaeth.

Nodiadau ar y ffurflen gais

Nodyn 1

Os ydych chi'n ddarpar-fabwysiadwr (hynny yw, byddwch yn gwneud cais i fabwysiadu'r plentyn) ac nad ydych eisiau datgelu pwy ydych i rieni neu warcheidwaid y plentyn, bydd y llys yn rhoi rhif cyfresol i chi. Bydd unrhyw ddogfennau a anfonir i'r partïon eraill yn dangos y rhif cyfresol, nid eich manylion personol. Os yw'n ofynnol i chi fynd i'r un gwrandawriad llys, bydd y llys yn gwneud trefniadau i sicrhau na ddatgelir pwy ydych.

Os ydych eisoes wedi derbyn rhif cyfresol, sicrhewch os gwelwch yn dda y nodir ef yn Rhan 2 paragraff (h) (Ynghylch gorchmynion eraill neu achosion sy'n effeithio ar y plentyn).

Application for permission to remove a child from the United Kingdom (Form A56)

Notes on completing the form

Important

This form is for an application under Section 28 of the Adoption and Children Act 2002 for permission of the court to remove a child from the United Kingdom.

If you are attaching any order of the High Court or a county court to your application, it must be a sealed copy of the order (that is, a copy that has been stamped with the seal of the court). If you are attaching an order made by a magistrates' court, it must be a certified copy (a copy certified by the court officer to be a true copy of the original order), or a copy that bears the stamp of the originating court. An order issued by any other authority must be properly authenticated by that authority. If you are in any doubt about what is needed, please contact the court for assistance.

Take or send the completed application form, **and three copies**, to the court, together with the court fee and any documents you are attaching in support of your application. If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

Notes on the application form

Note 1

If you are a prospective adopter (that is, you will be making an application to adopt the child) and you do not want your identity to be made known to the parents or guardians of the child, the court will issue you with a serial number. Any documents sent to the other parties will show the serial number, not your personal details. If you are required to attend the same court hearing, the court will make arrangements to ensure that your identity is protected.

If a serial number has already been issued to you, please ensure that it is entered in Part 2 paragraph (h) (About other orders or proceedings that affect the child).

Nodyn 2

Lle bo plentyn wedi'i roi i'w fabwysiadu dan adran 19 Deddf Mabwysiadu a Phlant 2002, neu fod asiantaeth fabwysiadu wedi'i hawdurdodi i roi plentyn i'w fabwysiadu dan yr adran honno, neu fod gorchymyn lleoli mewn grym mewn perthynas â'r plentyn, ni chaniateir symud y plentyn o'r Deyrnas Unedig oni fo'r amgylchiadau canlynol yn bodoli:

- fod y plentyn yn cael ei symud gan berson sy'n darparu cartref i'r plentyn, a bod hynny am gyfnod llai nag un mis; neu
- fod pob rhiant neu warcheidwad i'r plentyn wedi rhoi caniatâd ysgrifenedig, neu
- fod y llys yn rhoi caniatâd.

Gall unrhyw berson, gan gynnwys yr asiantaeth fabwysiadu neu awdurdod lleol a awdurdodwyd i roi'r plentyn i'w fabwysiadu, wneud cais i'r llys am ganiatâd symud y plentyn o'r Deyrnas Unedig.

Nodyn 3

Os ydych chi'n ddarpar-fabwysiadwr, gweler nodyn 1 uchod os gwelwch yn dda. Fel arall, os nad ydych eisiau i'ch cyfeiriad preifat a'ch rhif ffôn, neu gyfeiriad y plentyn, neu (os nad yw'r plentyn yn byw gyda chi), enw'r person y mae'r plentyn yn byw gydag ef/hi, gael eu datgelu i unrhyw barti arall, peidiwch â nodi'r manylion hynny ar y ffurflen gais hon. Yn hytrach, dylech nodi'r manylion ar Ffurflen A65 y mae'n rhaid i chi ei ffeilio yn y llys gyda'ch cais. Fydd y wybodaeth ddim yn cael ei datgelu i unrhyw berson arall wedyn, dim ond drwy orchymyn y llys.

Nodyn 4

Os ydych chi'n gwneud cais fel swyddog o'r asiantaeth fabwysiadu neu'r awdurdod lleol sydd wedi rhoi neu a awdurdodwyd i roi'r plentyn i'w fabwysiadu, dylech roi enw a chyfeiriad yr asiantaeth/awdurdod a'r rhif ffôn ble gellir cysylltu â chi yn ystod oriau gwaith.

Nodyn 5

Os ydych chi'n gwneud cais fel swyddog o'r asiantaeth fabwysiadu neu'r awdurdod lleol sydd wedi rhoi neu a awdurdodwyd i roi'r plentyn i'w fabwysiadu, nodwch hynny os gwelwch yn dda a nodwch beth yw eich swydd yn yr asiantaeth/awdurdod lleol.

Note 2

Where a child has been placed for adoption under section 19 of the Adoption and Children Act 2002, or an adoption agency is authorised to place a child for adoption under that section, or a placement order is in force in respect of the child, the child may not be removed from the United Kingdom unless:

- the removal is by a person who provides the child's home and is for a period of less than one month; or
- each parent or guardian of the child gives written consent, or
- the court gives permission.

An application to the court for permission to remove the child from the United Kingdom may be made by any person, including the adoption agency or local authority authorised to place the child for adoption.

Note 3

If you are a prospective adopter, please see note 1 above. Otherwise, if you do not want your private address and telephone number, or the child's address, or (if the child does not live with you) the name of the person with whom the child lives, to be disclosed to any other party, do not enter those details on this application form. Instead you should enter the details on Form A65, which you must file at the court with your application. The information will not then be disclosed to any person, except by order of the court.

Note 4

If you are applying as an officer of the adoption agency or local authority that has placed or is authorised to place the child for adoption, you should enter the name and address of the agency/authority and the telephone number on which you can be contacted during working hours.

Note 5

If you are applying as an officer of the adoption agency or local authority that has placed or is authorised to place the child for adoption, please say so and state your position in the agency/local authority.

Nodyn 6

Os oes yna unrhyw achosion blaenorol neu gyfredol yn ymwneud â'r plentyn, rhowch enw'r llys, natur yr achos a dyddiad ac effaith unrhyw orchymyn a wnaed. Os oeddech chi'n barti i unrhyw achosion a gwblhawyd, dylech roi copi o'r gorchymyn terfynol ynghlwm â'ch cais. Nid oes angen i chi ailadrodd manylion unrhyw orchymyn lleoli a roddwyd gennych eisoes.

Nodyn 7

Os yw'r plentyn wedi'i fabwysiadu'n flaenorol, rhowch enwau'r rhieni a'i mabwysiadodd ef/hi ac nid y rhieni naturiol.

Nodyn 8

Os nad oedd rhieni'r plentyn wedi priodi adeg ei enedigaeth ef/ei genedigaeth hi, gallai tad y plentyn fod wedi cael cyfrifoldeb rhieni

- drwy briodi mam y plentyn yn ddiweddarach;
- oherwydd bod ganddo gytundeb cyfrifoldeb rhieni gyda'r fam, neu y dyfarnwyd gorchymyn cyfrifoldeb rhieni iddo, neu
- oherwydd ei fod wedi cofrestru genedigaeth y plentyn ar y cyd â mam y plentyn (ar neu ar ôl 1 Rhagfyr 2003).

Rhowch fanylion unrhyw orchymyn llys neu gytundeb mewn perthynas â chyfrifoldeb rhieni yn Rhan 2 Ynghylch y plentyn, paragraff (h).

Nodyn 9

Os nad oes gan y plentyn warcheidwad, nodwch 'amherthnasol'. Fel arall, rhowch fanylion unrhyw berson a benodwyd i fod yn warcheidwad i'r plentyn drwy weithred neu ewyllys neu fel arall yn ysgrifenedig yn unol ag adran 5(5) Deddf Plant 1989 neu drwy orchymyn a wnaed dan adran 5(1) neu 14A y Ddeddf honno. Os oes gan y plentyn fwy nag un gwarcheidwad, rhowch enw a chyfeiriad unrhyw warcheidwad/warcheidwaid eraill ar daflen ar wahân, gan nodi enw llawn y plentyn, rhif y Rhan a chyfeirnod y paragraff ar ben y daflen.

Note 6

If there are earlier, or current, court proceedings relating to the child, give the name of the court, the nature of the proceedings and the date and effect of any order made. If you were a party to any proceedings that have been completed, you should attach a copy of the final order to your application. You do not need to repeat the details of any placement order you have already given.

Note 7

If the child has previously been adopted, give the names of his/her adoptive parents and not those of his/her natural parents.

Note 8

If the child's parents were not married at the time of his/her birth, the child's father may have acquired parental responsibility

- by subsequent marriage to the child's mother;
- because he has a parental responsibility agreement with the mother, or has been granted a parental responsibility order, or
- because he registered the child's birth jointly with the child's mother (on or after 1 December 2003).

Give details of any court order or agreement in respect of parental responsibility in Part 2 About the child, paragraph (h).

Note 9

If the child does not have a guardian, enter 'not applicable'. Otherwise, enter the details of any person appointed to be the child's guardian by deed or will or otherwise in writing in accordance with section 5(5) of the Children Act 1989, or by an order made under section 5(1) or 14A of that Act. If the child has more than one guardian, please give the name and address of any other guardians(s) on a separate sheet, putting the child's full name, the number of the Part and the paragraph reference at the head of the sheet.

Nodyn 10

Os mai chi yw'r darpar-fabwysiadwr a bod gennych rif cyfresol yn barod neu eich bod wedi gofyn am un, dylech sicrhau nad yw'r rhesymau dros eich cais yn cynnwys unrhyw wybodaeth allai arwain at ddatgelu pwy ydych.

Dylai unrhyw ymgeisydd sydd wedi gwrthod rhoi eu cyfeiriad neu rif ffôn, neu gyfeiriad y plentyn neu enw'r person y mae'r plentyn yn byw gydag ef/hi, sicrhau nad ydynt yn cynnwys unrhyw beth allai arwain at ddatgelu'r manylion hyn.

Os nad ydych eisiau i fanylion y dyddiadau teithio arfaethedig, y wlad (neu wledydd) dan sylw a'r cyfeiriad(au) tra y tu allan i'r Deyrnas Unedig, gael eu datgelu i unrhyw barti arall, dylech ddweud hynny ar y ffurflen ac egluro'ch rhesymau am ddymuno cadw'r wybodaeth yn gyfrinachol. Dylid nodi manylion y daith arfaethedig mewn llythyr ar wahân i'r llys, y mae'n rhaid i chi ei roi ynghlwm â'ch cais. Fydd y wybodaeth ddim yn cael ei datgelu i unrhyw berson arall wedyn, dim ond drwy orchymyn y llys.

Cymorth neu gyfleusterau arbennig ar gyfer anabledd os byddwch yn mynychu'r llys

Nodyn 11

Os byddwch angen cymorth neu gyfleusterau arbennig ar gyfer anabledd neu nam, nodwch eich gofynion yn llawn os gwelwch yn dda. Bydd staff y llys angen gwybod, er enghraifft, a ydych eisiau i ddogfennau gael eu darparu mewn fformat gwahanol, megis Braille neu brint bras. Byddant hefyd angen gwybod am unrhyw ofynion penodol allai fod gennych ar ddiwrnod y gwrandawriad, megis mynediad i gadair olwyn, system dolen sain, neu ddehonglydd iaith arwyddion.

Bydd staff y llys yn cysylltu â chi ynghylch eich gofynion. Mae'n bwysig eich bod yn hysbysu'r llys o'ch anghenion. Oni wnewch hynny, efallai y bydd yn rhaid gohirio'r gwrandawriad o ganlyniad.

Note 10

If you are the prospective adopter and already have a serial number or have asked for one, you should make sure that the information does not include any details which could lead to your identity being disclosed.

Any applicant who has withheld their address or telephone number, or the child's address or the name of the person with whom the child lives should make sure that they do not include anything which could lead to these details being disclosed.

If you do not want details of the proposed dates of travel, country (or countries) of destination and address(es) while outside the United Kingdom to be disclosed to any other party you should say so on the form and explain your reasons for wishing to keep the information confidential. The details of the proposed travel should be set out in a separate letter to the court, which you must attach to your application. The information will not be then disclosed to any person, except by order of the court.

Special assistance or facilities for disability if you attend the court

Note 11

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements you may have on the day of the hearing, such as wheelchair access, a hearing loop, or a sign language interpreter.

The court staff will get in touch with you about your requirements. It is important that you make the court aware of all your needs. If you do not, the result may be that the hearing has to be adjourned.